

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

EDWARD DENNIS RODGERS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:23-cv-00077 SNLJ
)	
BUTLER COUNTY SHERIFF DEPT, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's second and third motions to compel (Docs. 70, 75). Defendants oppose the motions (Docs. 76, 78). For the reasons stated below, the motions are denied.

Pursuant to Federal Rule of Civil Procedure 37, a motion to compel "must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Fed.R.Civ.Proc. 37(a)(1); *see also* E.D.MO. L.R. 3.04. There is no such certification stated in plaintiff's motion. Pro se litigants are not excused from complying with court orders or substantive and procedural law. *Burgs v. Sissel*, 745 F.2d 526, 528 (8th Cir.1984). Further, plaintiff is aware of this requirement as his first motion to compel (Doc. 64) was denied for failure to include the certification (Doc. 65). On this basis alone, the motions must be denied.

Further, plaintiff has not submitted sufficient information for the Court to compel production of any documents or other evidence. It is not clear to the Court whether the document attached to the second motion to compel is a handwritten copy of the discovery at issue. (Doc. 70 at 2-4). The document attached to his motion is titled “Third Supplemental Request for Production of Documents Directed to Defendant” and dated the same day as his motion. It is also not clear whether plaintiff is asserting that defendants have not responded in any manner or if defendants have objected to the requests. If defendants have objected, plaintiff must provide a copy of the objections with a motion to compel. Finally, for his third motion to compel, plaintiff has not provided a copy of any discovery requests or responses thereto.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s second and third motions to compel (Docs. 70, 75) are **DENIED**.

Dated this 17th day of April, 2025.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE